

CANNON BUILDING
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DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING NOTICE:	BOARD OF DENTAL EXAMINERS
DATE AND TIME:	Thursday, March 25, 2010 at 4:30 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
APPROVED:	May 20, 2010

MEMBERS PRESENT

Neil McAneny, DDS, Professional Member, President, Presiding
Blair Jones, DMD, Professional Member, Secretary
David S. Williams, DMD, Professional Member
John Lenz, DDS, Professional Member
Robert Director, DDS, Professional Member
Lauren Coyle, RDH, Professional Member
Debra Bruhl, RDH, Hygiene Advisory Member
Bonnie L. Thomas, RDH, Hygiene Advisory Member
John M. Kirby, Public Member
Danna Levy, Public Member

MEMBERS ABSENT

James King, Public Member
Fay S. Rust, RDH, Hygiene Advisory Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Allison Reardon, Deputy Attorney General
Renee' Holt, Administrative Specialist II
Kay Warren, Deputy Director, Division of Professional Regulation

OTHERS PRESENT

Dr. Ed Granite

CALL TO ORDER

Dr. McAneny called the meeting to order at 4:45 p.m.

REVIEW OF MINUTES

The board reviewed the minutes of the January 21, 2009 board meeting. Dr. Director made a motion, seconded by Dr. Jones to approve the minutes with the revision noted. The motion was unanimously approved.

UNFINISHED BUSINESS

Renee Bowen – Dental Hygienist by Reciprocity (tabled 1/21/10) – Dr. McAneny tabled the review of the application pending further review and counsel by the Deputy Attorneys General regarding the practice requirement and option to make exception to that requirement for military spouses.

NEW BUSINESS

Dr. Lenz made a motion, seconded by Dr. Director to ratify the licenses issued since January 21, 2010 for Dentist Licenses for Dr. Puja Balnchandri and Dr. Mariam Kamel Labib Soliman. The motion was unanimously approved.

There were no Dentist Limited License (Resident) issued.

Dr. Jones made a motion, seconded by Dr. Director to ratify the licenses issued since January 21, 2010 for Dental Hygienist Licenses for Tara Jones, Laurie Brannen, and Rebekah Bartow. The motion was unanimously approved.

Ms. Coyle made a motion, seconded by Dr. Director to ratify the permits issued since January 21, 2010 for Restricted Permit I for Dr. Glen Goleburn. The motion was unanimously approved.

Dr. Director made a motion, seconded by Dr. Lenz to ratify the permits issued since January 21, 2010 for Restricted Permit II for Dr. Kushal K. Dhardwaja and Dr. Neil McAneny. The motion was approved by a quorum on the Board with Dr. McAneny abstaining.

Dr. Jones made a motion, seconded by Dr. Director to ratify the permits issued since January 21, 2010 for Unrestricted Permit for Dr. Franklin Pancko. The motion was unanimously approved.

Complaints

Explanation of Complaint Process – DAG – Ms. Holt requested Ms. Reardon review the complaint process for the Board as it pertained to complaints being submitted to the Board for a hearing. Ms. Reardon gave an overview of the administrative process involved in a public complaint evolving into a formal complaint presented to the Board for consideration.

Assignments

Ms. Holt confirmed the following complaints would be forwarded to the assigned contact person.

- Complaint # 09-01-10 (McAneny)
- Complaint # 09-02-10 (Jones)
- Complaint # 09-03-10 (Lenz)
- Complaint # 09-04-10 (Director)
- Complaint # 09-06-10 (McAneny)
- Complaint # 09-07-10 (Jones)
- Complaint # 09-08-10 (Lenz)
- Complaint # 09-09-10 (Director)

Status Report

Ms. Holt reported the following complaints were closed with no further investigation.

- Complaint # 09-12-09
- Complaint # 09-17-09

Review and Reporting of Renewal Audit Documents

Request(s) for extension – Ms. Holt provided Dr. McAneny with three requests for exemption extension for consideration under Rule 6.7.1.

Dr. McAneny read the first request to the Board of Dr. Junaid Chaudhry. The request was due to medical reasons. Dr. Director questioned if licensee was able to practice. Dr. McAneny stated there would need to be contact to request information regarding extent of practice. Ms. Reardon gave counsel and advised Board could ask for clarification. After further discussion, Dr. Director made a motion to grant the continuing education extension request to complete the required 50 credits. Dr. Chaudhry must provide the CE log to the Board office with proof of completion on or before June 15, 2010 for review by the Board at the June 2010 meeting. Dr. Chaudhry will be audited at that time. Ms. Holt will notify Dr. Chaudhry of the audit. The motion was seconded by Mr. Kirby. The motion was unanimously approved.

Dr. McAneny read the request for exemption extension of Dr. Cynthia Minsk due to medical reasons. The Board reviewed Rules 6.4 and 6.52 to determine the allowable requirements. Ms. Reardon gave clarification for the Board. Dr. McAneny made a motion to ask Dr. Minsk for diagnosis of the medical condition and also certificates of completion of courses listed in the CPE log for audit by the Board. Mr. Kirby seconded the motion. Ms. Reardon requested clarification on how this affects the license renewal. Dr. Director made a motion to amend the motion to require documentation to be received on or before May 1, 2010 and will be reviewed at the May 20, 2010 meeting. Dr. Jones seconded the motion. The motion was unanimously approved.

Dr. McAneny read the request for extension of the CPE and CPR requirement for the current renewal cycle and also the enclosed CPE log reporting 17 CPE hours with a current CPR card and also registration for upcoming courses. Dr. Director made a motion, seconded by Ms. Levy to grant Dr. James McKelvey extension to complete the required CPE requirements and provide certificates of completion documentation be received in the Board office on or before September 1, 2010 to be reviewed at the September 9, 2010 meeting and at that time be audited.

Dr. McAneny stated all motions would include the requirement of an audit.

Dr. McAneny moved to item 6.0 Legal Interpretation of § 1132A. Limited license on the agenda prior to reviewing the Audit documents.

Legal Interpretation of § 1132A. Limited license - Dr. McAneny reorganized the agenda to address this issue before items 5.0 and 6.0. Ms. Reardon gave a background summary of the purpose of the review. Ms. Reardon stated the issue the Board needed to address was the interpretation of the law as it pertains to the specific position title submitted by employer in the copy of the offer letter – Director of Education Department. There was further discussion as to what specific employment position criteria would and would not qualify under the current statute.

Dr. McAneny made a motion that the title Director of Education Department does fill the requirements of §1132 A(a). Dr. Lenz seconded the motion. Dr. McAneny called for discussion. Dr. Director stated he felt hearing Dr. Granite's explanation would be beneficial. Dr. Jones stated he thought it was for a Dr. Granite or Dr. Arm position. Dr. Granite addressed the Board to explain clearly that the intent for the law was to address all the teaching positions. Dr. Granite meant the term director to cover a more broad general definition for related positions. Dr. Granite explained that down the line there would be multiple positions that generically would be considered under this license type and that he himself is filling more than one position. Dr. Granite stated in the future, when more funding would be available and / or he was no longer filling the positions, those other positions would need to be filled and would be considered as director positions.

Ms. Reardon advised the Board that if the position was really a teaching position, the statute would need to be modified.

Dr. Director stated part (b) of the law clearly stated the licensed position is limited to teaching in a hospital setting. Dr. Granite stated there is also a plan to potentially begin a Dental Residency program at Beebe Medical Hospital. Ms. Reardon clarified the statements were not to be obstinate but to clearly understand the intent and consider the future implications. Dr. McAneny reiterated the interpretation needed to be clearly identified as to the intent of the statute for future boards for understanding.

Dr. McAneny called for a vote. The motion was unanimously approved by the Board to accept the title of Director of Education Department for consideration under § 1132A. Limited license.

Dentist Audit Review and Dental Hygienist Audit Review

Dr. Jones brought to the attention of the Board that licensees submitted Give Kids A Smile program volunteer hours as allowable CPE. Mr. Jones stated for the record that the Board had determined in the last renewal period that Give Kids A Smile program volunteer hours do not count as allowable CPE. The Board requested the Division of Professional Regulation look into mass notification of this to all licensees both Dentist and Dental Hygienists and also that CPR does not qualify for meeting CPE hour requirement.

Dr. McAneny made a motion that all those licensees found deficient in the audit be sent notification that they have to send the adequate proof their specific deficiency to the Board office no later than May 15, 2010. Dr. Director seconded the motion. The motion was unanimously approved.

Mr. Kirby and Ms. Levy left the meeting at 7:15 pm

Discussion of Joint Sunset Committee topics – Ms. Holt distributed the draft minutes from the Joint Sunset Committee hearing.

Dr. McAneny commended Ms. Warren for compiling the response to the Joint Sunset Committee. Ms. Thomas inquired as to the events that occurred during the first Sunset Committee Hearing. Ms. Reardon reviewed what the Board could expect next in the Sunset Committee process. Ms. Reardon stated the Board already submitted the draft legislative changes, and the Committee would provide the requirements that come out of the review. Ms. Reardon also confirmed the Committee would have reporting deadlines and status updates.

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Review of Draft Application for the new license type

The Board tabled the review of the draft application.

Other Business before the Board (for discussion only)

Correspondence from AADB regarding continuing education offering – Dr. McAneny read the correspondence to the Board. Dr. McAneny stated he felt a better way to handle this offering may be to forward the notification to the Dental Society to possibly make the course available. Dr. Director suggested the Board review the educational products and consider requiring a course in sexual boundaries. Dr. Director requested the discussion be placed on the upcoming agenda for further discussion. Ms. Reardon advised consideration of making this type of requirement is timely considering the Joint Sunset Review.

AADB Scope of Practice Survey – Dr. McAneny reviewed the survey with the Board and stated he consulted a local oral surgeon on some topics pertaining to oral surgery. The Board discussed the survey and requested Ms. Holt submit the response on behalf of the Board.

Newspaper Article – regarding a dental chain opening in Delaware. Ms. Holt read the article to the Board for informational purposes.

Dr. McAneny advised the Board of the AADB Mid Year meeting and indicated the meeting would focus on scope of practice in dentistry.

Acknowledgement of Candidates for Exam review

Ms. Holt explained that those candidates requesting to meet with the examiners would be called individually, immediately following the meeting in the order they were signed in. No discussion of the examination itself will be conducted.

Public Comment

There was no further public comment.

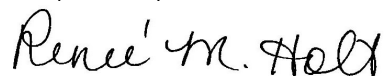
Next Meeting

The next board meeting will be held on May 20, 2010 at 4:30 p.m. in Conference Room B of the Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904.

Adjournment

There being no further business before the Board, Dr. Director made a motion, seconded by Dr. Jones to adjourn the meeting at 7:45p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Renee' M. Holt". The signature is written in a cursive, flowing style.

Renee' M. Holt
Administrative Specialist II